

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**JAMES BILELLO,**

**Plaintiff,**

**vs.**

**PHIL SHEAR, et al.,**

**Defendants.**

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**8:08cv433**

**ORDER**

This matter came before the court for a Rule 16 planning conference. Counsel for the parties appeared telephonically. George Moyer represented the plaintiff and Mark Fitzgerald represented the defendant. Progression of the case was reviewed, and

**IT IS ORDERED:**

1. Any motion by the defendants for summary judgment based upon qualified immunity shall be filed on or before **July 31, 2009**.

2. The planning conference is continued to **November 19, 2009 at 10:30 a.m.**, to be held by telephone call initiated by plaintiff's counsel.

Dated this 15<sup>th</sup> day of June 2009.

BY THE COURT:

S/ F. A. Gossett  
United States Magistrate Judge